

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

JAMES DAOUST,

Plaintiff,

v.

U UNLIMITED INC, *et al.*,

Defendants.

No. C 10-00678 LB

**ORDER: (1) VACATING CMC; (2)  
SETTING HEARING ON  
APPLICATION FOR DEFAULT  
JUDGEMENT; AND (3) FOR  
SUPPLEMENTAL BRIEFING BY  
PLAINTIFF**

Pending before the Court is Plaintiff James Daoust's Application for Default Judgment against Defendants U Unlimited, Inc. and Eitan Spanier. (Dkt. #9.) This case is currently set for a case management conference on June 16, 2010. (Dkt. #3.) In light of the pending Application for Default Judgment, the Court **VACATES** the June 16<sup>th</sup> case management conference and **SETS** Plaintiff's Application for Default Judgment for hearing on July 1, 2010 at 11:00 a.m., in Courtroom 4.

Further, to assist the Court in considering Plaintiff's request for default judgment, the Court **ORDERS** Plaintiff to submit a supplemental brief addressing the seven factors set forth in *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9<sup>th</sup> Cir. 1986).

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C 10-00678

Order : (1) Vacating CMC; (2) Setting Hearing on Application for Default Judgment; and (3) for Supplemental Briefing

Plaintiff shall file his brief by June 17, 2010.

**IT IS SO ORDERED.**

Dated: June 2, 2010



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LAUREL BEELER  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
For the Northern District of California